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 Attorneys for Debtors

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:
 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

Case Nos. BK-S-06-10725 LBR
 Case Nos. BK-S-06-10726 LBR
 Case Nos. BK-S-06-10727 LBR
 Case Nos. BK-S-06-10728 LBR
 Case Nos. BK-S-06-10729 LBR

In re:
 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

Chapter 11

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
 Debtor.

In re:
 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

In re:
 USA SECURITIES, LLC,
 Debtor.

**DECLARATION IN SUPPORT OF
 EX PARTE MOTION FOR ORDER
 SHORTENING TIME REQUIRING
 VICTORIA LOOB TO APPEAR FOR
 EXAMINATION PURSUANT TO
 FED.R.BANK. P. 2004**

Affects:

- ☒ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA First Trust Deed Fund, LLC

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1 Jeanette E. McPherson, Esq. of Schwartzer & McPherson Law Firm, attorneys for USA
2 Commercial Mortgage Company, USA Capital Realty Advisors, LLC, USA Securities, LLC, USA
3 Capital First Trust Deed Fund, LLC and USA Capital Diversified Trust Deed Fund, Debtors-in-
4 Possession (collectively referred to as the “Debtors”), under penalties of perjury, hereby declares
5 that:

6 1. Ex Parte Application For Order Approving Examination of Victoria Loob Pursuant
7 To Fed.R.Bankr.P. 2004 (the “Application”) has been filed. This Application respectfully requests
8 that the Court direct Victoria Loob (“Loob”) to be examined under oath in relation to the
9 following:

10 Acts, conduct or property of the Debtors, or to any matter which may affect the
11 administration of the Debtors’ estate; and acts, conduct, or property of the Debtors
12 that relate to the liabilities and financial condition of the Debtors, the source of any
13 money or property acquired or any other matter relevant to the case.

14 2. Notice can be shortened pursuant to Bankruptcy Rule 9006(c)(1) and LR 9006(a).

15 3. The Application is requested to be heard on shortened time because statements
16 made in the Declaration of Victoria Loob in support of the Objection of Investment Partners LLC,
17 Joseph Milanowski and Thomas Hantges To Confirmation of The Debtors’ Third Amended Joint
18 Chapter 11 Plan of Reorganization (Docket No. 2035) need to be rebutted prior to the Debtors’
19 Confirmation Hearing scheduled for December 19, 2006 at 10:00 a.m.

20 Dated: December 12, 2006

21 /s/ Jeanette E. McPherson
22 Jeanette E. McPherson, Esq.
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